

REMARKS

Claims 1-7 and 9-15 remain pending in the present application. Claims 1, 6, 7, 9, 12, 13, and 15 have been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

CLAIM OBJECTIONS

The Examiner has objected to various grammatical features in Claim 1. Applicants have amended Claim 1 in an attempt to overcome the Examiner's objection. Accordingly, Applicants believe Claim 1 to overcome the Examiner's objections and respectfully request withdrawal of the same.

Applicants believe Claim 1 to be proper order and respectfully request the Examiner to pass the case to issue at his earliest possible convenience.

REJECTION UNDER 35 U.S.C. §103(a)

The Examiner has rejected Claims 6, 7 and 9-15 under 35 U.S.C. §103(a), alleging them to be unpatentable over Wadge (U.S. Patent No. 6,206,107) in view of DeLuca et al (U.S. Patent No. 6,591,456). The Examiner alleges that this combination would render Applicants' invention obvious to those skilled in the art.

Independent Claims 6, 9, 12, 13 and 15 have been amended. These independent claims have been amended to be patterned after Claim 1. The Wadge and DeLuca et al. references fail to disclose or suggest Applicants' claims. The Wadge reference fails to disclose any type of cushioning member. Thus, Wadge neither discloses nor suggests the desirability of a cushioning member. DeLuca et al. illustrates a cushioning device for a hand held implement. The cushioning member is connected

to another housing portion to form the entire housing. DeLuca et al. neither discloses nor suggests positioning a member on top of the housing and securing it with the housing so that the member becomes the housing adjacent the chamber. Accordingly, the Wadge and DeLuca et al. references fail to disclose or suggest Applicants' claims. Thus, Applicants believe Claims 6, 9, 12, 13 and 15 to be patentably distinct over the art cited by the Examiner. Likewise, their dependent Claims 7 and 10-11 are patentably distinguishable over the art cited by the Examiner.

In light of the above amendments and remarks, Applicants submit that all pending claims are in condition for allowance. Accordingly, Applicants respectfully request the Examiner to pass the case to issue at his earliest possible convenience. Should the Examiner have any questions regarding the present application, he should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,

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